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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,739	04/23/2001	Luosheng Peng	10480-011-999	4529

7590 09/07/2004

Mr. Steven Artim, CEO
DoOnGo Technologies, Inc.
2065 Martin Avenue
Suite 108
Santa Clara, CA 95050

EXAMINER

MANIWANG, JOSEPH R

ART UNIT

PAPER NUMBER

2144

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

SEP 22 2004

Technology Center 2100

Office Action Summary

Application No.

09/840,739

Applicant(s)

PENG, LUOSHENG

Examiner

Joseph R Maniwang

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04/23/01 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 06/26/01.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to because Fig. 17, 18, and 20 are informal drawings containing hand-drawn reference characters. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

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2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas Huston et al. (U.S. Pat. App. Pub. 2002/0007402), hereinafter referred to as Huston, and further in view of Bittinger et al. (U.S. Pat. No. 6,148,340), hereinafter referred to as Bittinger.

4. Huston disclosed a method and system for managing network content and providing the content to users over a communications link. Huston disclosed checking data stored on a cache on a gateway server (see paragraphs [0020], [0036], Fig. 2A). Based on the checking, data could then be selected (see paragraph [0021]). Huston disclosed checking the data for possible updates or the status of the data, which involved contacting a server for files corresponding to the checked data (see paragraphs [0020], [0023], [0039]). If applicable, the cached data could then be updated in accordance with the response received from the server (see paragraph [0037]). Huston disclosed checking if the files were up-to-date, checking generated data indicating when a newer version of data has been released, or checking for updates at periodic intervals (see paragraphs [0020], [0021], [0039], [0055]). Huston disclosed sequentially checking each of the data items in the cache during a periodic check (see paragraph [0021]). During a check, selected data was selected when a newer version of the data was available (see paragraph [0021]). In an aspect of the

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disclosed invention relating to security, Huston also disclosed the use of authentication for establishing connections with servers, requesting access to a cache, or storing/deleting content (see paragraph [0053]). Additionally, in checking data for updated versions, Huston disclosed the use of a difference engine, which had the ability to determine what new content existed on a content server, inherently comprising the broad concept of using a difference file for comparing old data with updated data (see paragraphs [0040], [0055]). Huston also disclosed maintaining a table related to updated content data (see paragraph [0043]).

5. While Huston disclosed periodically checking, selecting, and updating data through the use of a content server, Huston did not specifically disclose the data to comprise records corresponding to a set of files. It is noted that Huston did recognize a general problem in efficiently providing content over a network and stated the difference in doing so between conventional direct approaches and the cache approach (see paragraph [0012]). However, even as Huston favored the use of a cache approach, Huston noted a practical limitation in the amount of storage available for a cache (see paragraph [0014]). In light of this fact, one of ordinary skill in the art would have then been motivated to consider ways to overcome this limiting design factor.

6. In a related art of network communication, Bittinger disclosed a method and system for efficiently updating stored data on a client when updates were determined to exist on a server (see Abstract). In this way, it was similar to the invention of Huston, and further shared a method of comparing cached data with newer versions to create a difference file for updating the data before delivering to a client (see column 5, lines 28-

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61). Of most interest however is the type of data used in by Bittinger, which comprised a "container" architecture of a directory record corresponding to a set of files (see column 3, lines 54-58; Fig. 5).

7. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Huston and Bittinger to provide a system for periodically checking and updating a cache of data through the use of a content server, the data further comprising a set of records each corresponding to a set of files as claimed. One of ordinary skill in the art would have been motivated to consider the use of the container architecture as taught by Bittinger for its efficiency and also for the smaller size of data it produced (see column 6, lines 23-34). The inclusion of such a data format in the invention of Huston would have proved beneficial in overcoming the problems relating to limited cache storage space recognized by Huston.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shaheen et al. (U.S. Pat. No. 5,893,920) disclosed a method and system for cache management in a mobile user file system.

Chow et al. (U.S. Pat. No. 6,029,175) disclosed an automatic method for retrieving updated files from remote servers.

Challenger et al. (U.S. Pat. No. 6,256,712) disclosed a method and system for maintaining consistent updates to caches.

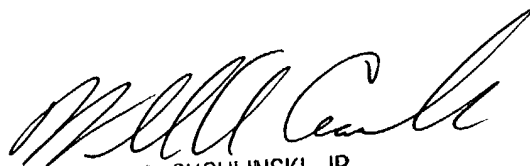
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph R Maniwang whose telephone number is (703) 305-3179 [Crystal City], (571) 272-3928 [Alexandria]. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A Cuchlinski can be reached on (703)308-3873 [Crystal City], (571) 272-3925 [Alexandria]. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM


WILLIAM A. CUCHLINSKI, JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2400

LIST OF REFERENCES CITED BY APPLICANT <i>(Use several sheets if necessary)</i>				ATTY. DOCKET NO. 10480-011-999		APPLICATION NO. 09/840,739	
				APPLICANT Luosheng Peng			
				FILING DATE April 23, 2001		GROUP 2152	

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER REFERENCES <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>		
JUL	AA	U.S. Patent Application Serial No. 09/836,972, filed 4/16/01; "Apparatus and Methods For Managing Caches on a Mobile Device"; Inventor: Luosheng Peng.
↓	AB	U.S. Patent Application Serial No. 09/840,736, filed 4/23/01; "Apparatus and Method For Intelligently Caching Applications and Data on a Mobile Device"; Inventor Luosheng Peng.
↓	AC	U.S. Patent Application Serial No. 09/841,777, filed 4/24/01; "Apparatus and Method For Intelligently Caching Applications and Data on a Gateway"; Inventor: Luosheng Peng.

EXAMINER <i>[Signature]</i>	DATE CONSIDERED <i>04/01/01</i>
--------------------------------	------------------------------------

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Notice of References Cited

Application/Control No.

09/840,739

Applicant(s)/Patent Under
Reexamination
PENG, LUOSHENG

Examiner

Joseph R Maniwang

Art Unit

2144

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-2002/0007402	01-2002	Thomas Huston et al.	709/217
	B	US-6,148,340	11-2000	Bittinger et al.	709/224
	C	US-5,893,920	04-1999	Shaheen et al.	711/133
	D	US-6,029,175	02-2000	Chow et al.	707/104.1
	E	US-6,256,712	07-2001	Challenger et al.	711/141
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.